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Free Schools; Magnet Schools Assistance; Comprehensive Regional Assistance Centers; Ready to Learn Television; Telecommunications Demonstration Project for Math; Fund for the Improvement of Education: Javits Gifted and Talented Education; Eisenhower Regional Math and Science Consortia; 21st Century Community Learning Centers; and International Education Exchange. Additionally, Part A Title I funds for the economically disadvantaged would be awarded directly to local educational agencies, and States could elect to receive bilingual education funds as a State block grant, as local educational agency block grants, or under the current regulatory scheme. (Estimates of the total spent on Federal education programs vary depending on the definitions used for such programs. According to the National Center for Education Statistics of the Department of Education, \$100.5 billion in on-budget and off-budget Federal and other funds will be spent on them in fiscal year 1998 (\$73.1 billion of that amount will be on-budget Federal spending). The Department of Education's on-budget spending is \$32 billion, of which roughly half is for K-12 programs.) In total, the Gorton amendment would allow up to \$10.279 billion of Department of Education K-12 spending to be in block grants. To ensure that total funding would not decline, funding authorizations would be increased for each of the next 5 years, and if funding were to decline below the authorized level the block grant options would be repealed. Further, the amendment would enact a "hold harmless" provision to protect each State that chose a block grant option from receiving less in a year than it would have received if it had remained under the current Federal regulatory scheme. Funds would be given under the local educational agency option unless a State, in the first year its legislature met, selected one of the other options. If a State chose to remain under the current regulatory scheme, it could change that decision in the next fiscal year if it wished. If it chose either of the block grant options, it could change its decision only once and only after receiving block grant funding for 3 years. For the consolidated block program funding, funds would be distributed based upon the total number of school-aged children and upon the number of needy children (as measured by eligibility for Part A Title I aid for the economically disadvantaged). States could spend no more than 5 percent of those block grant funds on administrative costs, and would be required to spend them on innovative assistance programs, including programs for magnet schools, for technology training for teachers, for purchasing instructional materials, for helping disadvantaged children, for lowering drop out rates, for combatting illiteracy, for meeting the needs of gifted and talented students, and for lowering the teacher-student ratio. The programs the funding for which would be consolidated under this block grant focus on these same priorities. Basically, the Federal Government currently is involved in only a few, focused areas of K-12 education that have been determined to be national priorities by Congress; the Gorton amendment would retain the priorities, but it would have State and local governments determine best how to meet them instead of having to follow detailed Federal mandates and reporting requirements. Community participation would be required in determining uses for such block grant funds.

Those favoring the amendment contended:

The Gorton amendment builds on an amendment that the Senate passed last year (see 105th Congress, 1st session, vote No. 232), but which was dropped in conference. That earlier amendment would have consolidated a number of Federal K-12 educational programs into a single block grant. A number of Senators raised the procedural objection that too little time had been spent considering the idea. Therefore, over the course of the past year, we have held hearings and have sought the advice of educational experts, State officials, political officials from both parties, and local education agency administrators and teachers. Modifications have been made to this amendment based on some of the concerns expressed, but, overall, those hearings proved both the need and the huge support for this amendment.

According to the General Accounting Office the United States has a huge number of overlapping Federal educational programs, each with its own regulations and paperwork requirements. For instance, 15 different Federal Departments and agencies administer 127 separate Federal programs for at-risk and delinquent youth, 11 Federal Departments and agencies administer more than 90 early childhood programs, and 9 Federal Departments and agencies administer 86 teacher-training programs. For most school districts the Federal Government provides only about 6 percent to 8 percent of school funding, but the confusing and sometimes contradictory requirements from the above programs and many other programs are responsible for 50 percent to 60 percent of schools' regulations and paperwork requirements. Each time a Member of Congress comes up with the bright idea, for instance, of providing teacher training, and the proposal is enacted, it just adds to the mess. One program does not create much of a burden; two programs are not that bad; but as hundreds of programs are added, layer upon layer, each with its own rules and reporting requirements, the burden becomes enormous.

The Gorton amendment would give the States the option of sweeping aside most of the burden without risking harm to the quality of education they can offer. Most State and local officials, Democratic and Republican, expressed great frustration with the difficulty in complying with Federal regulations and paperwork, and gave examples of reforms that they would like to enact but could not because of Federal requirements. Right now, they are in a bind--the Federal Government taxes their citizens, and then tells them that if they want any of the money back for education all they have to do is comply with certain rules. This formulation puts them under great pressure to accede to Federal rules, because if they do not their citizens get taxed and they get nothing in return. Our colleagues tell us that this set up is fair because every State has the right to refuse Federal funds. We disagree, because those funds

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were taken from the States in the first place. Educational experts also testified in favor of allowing block grants, because they said that most of the recent successful innovations in education have come at the State and local levels. Further, decades of research have consistently found that students do better in school when parents and teachers have the greatest say in educational decisions. The further removed parents and teachers are from such decisions, the worse student performance becomes.

Not all of the testimony on the proposal to block grant educational funds was favorable. A number of common concerns were expressed, and a few people even testified that they preferred Federal mandates and paperwork to block grants. All of those concerns are addressed in this amendment. One of the most frequently expressed concerns was that the amendment that was approved last year would have bypassed States. Therefore, in this amendment, States would have the option of having the block grants go to them or directly to local educational agencies, at their sole discretion. Another common worry was that if the Federal Government gave money in block grants, it would lose interest in K-12 education and total funding would decline. Therefore, this amendment would guarantee that no State would have a decrease in funding over the next 5 years, and overall funding would be increased or the block grant options would be rescinded. As for any States that like the current regulatory maze--fine, they are welcome to it. This amendment would not force any State to do anything. They could let the money go directly to local agencies; they could have it go to them first to distribute; or they could still take it with all the Federal strings and paperwork requirements attached. We imagine that different States will have different priorities, so all three options will be exercised in various locations. From experience, we will then be able to see which option works best.

This amendment is not about dismantling the Department of Education; it is about sweeping away a tangle of choking regulations. States would still be required to pursue Federal priorities, but they would be trusted to come up with their own solutions. We very strongly agree, for instance, that efforts should be made to reduce school dropout rates, and that it is appropriate for the Federal Government to encourage the States to have such programs. Why do our colleagues assume, though, that such programs will work better if they are designed and run according to Federal requirements instead of State or local requirements? Even if our colleagues will assume for just a moment that perhaps State and local officials have mental faculties that are on a par with Federal bureaucrats, and are thus perfectly capable of designing their own educational programs to address Federal priorities, then this proposal to let them design their own programs has merit because Federal educational programs, on average, consume 15 percent of program funds in administrative costs. Thus, if a State has officials who are just as smart as Federal bureaucrats at the Department of Education, the Gorton amendment would effectively give them an instant, 15-percent funding increase.

Last year, our colleagues said that one of the major reasons they opposed the amendment was that hearings had not been held, so they did not know what State and local governments wanted, or what educational experts wanted. Hearings have now been held, so we have those answers. We have worked hard to address bipartisan concerns, and have modified this amendment to even permit any State that did not want block grants to continue under the current system. We trust the States that we represent to make the decisions that are best for them. If our colleagues likewise think that their States are capable of acting in their own interests, then they will join us in supporting this amendment.

Those opposing the amendment contended:

By far the bulk of elementary and secondary education funding is at the local level. Local governments run and finance the schools. We believe that arrangement is appropriate and should continue. However, we also believe that there are a few areas in which the Federal Government should be involved. We understand, as a philosophical matter, that many conservative Republicans disagree. They see all Federal involvement as Federal interference, and would like to bring it to an end. Basically, the Gorton amendment would bring Federal involvement to an end. It would block grant most K-12 Department of Education funding. States would get a few broad instructions, but could essentially spend the money as they saw fit. Agreeing to the Gorton amendment would turn the Federal Government into a tax collector for the States. We in Congress would get all of the blame for making the hard decisions to impose taxes, and State and local officials would get all of the praise for spending the money on education. Worse yet, we would not have any assurance that the money would be spent appropriately. The Federal Government, for instance, has placed a high priority on making schools drug-free, and has programs to that effect. If all of the money that currently went to such programs were shoved into a broad block grant that had multiple purposes, a State could conceivably decide that keeping drugs out of schools is not very important, and could quit spending money on such efforts. Certainly States have their own educational priorities, and if they want to pursue those priorities they have every right to tax their citizens to pay for them. Further, if they disagree with the Federal Government's priorities, they do not have to take Federal funds to implement them. In essence, we believe that the Gorton amendment comes down to the question of whether or not Senators believe that the Federal Government has a legitimate role in primary and secondary education. We believe that it does, and thus oppose this amendment.